

Larry Jones E. 17215

P.O. Box 5004

Calipatria, CA. 92233

NUNC PRO TUNC

JUN 27 2008

FILED

2008 JUL -3 AM 10: 22

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

In the Central District court  
of California  
Southern District

Dated June 23 2008  
DEPUTY

CV-NO: 08-0623 JLS RBB

Dear clerk of the court...

(In deference to Rule 2(e)) petitioner needs a copy of this letter and 602 be included into his amended petition last sent June 24th 2008 to amend previous petition. The following pages provide the burden of petitioner alleging exhaustion as required in Carrington v. Cupp 850 F.2d. 1103, 1104 (9th Cir 1981)

Petitioner citing Duckworth v. Serrano 454 U.S. 1, 3 N2 (1981)  
Petitioner asserts absence of states corrective process at time of filing of petition. (EXHAUSTION SATISFIED)

Petitioner has provided this court with his administrative appeal which was sent in and screened out several times as this prison refuses to acknowledge jurisdiction in using execution of sentence papers to access my term.

Ngo v. Woodford (9th Cir 2005) 403 F.3d 620.

Prisoner exhausted all available administrative remedy

Hill v. Alaska (Supra) 2002  
challenges execution of sentence (parole matter)

A.E.D.P.A. Does not Apply

①

Dated June 23 2008  
Signed Larry Jones

**INMATE/PAROLEE  
APPEAL FORM**  
CDC 802 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. \_\_\_\_\_  
2. \_\_\_\_\_

1. \_\_\_\_\_  
2. \_\_\_\_\_

10

You may appeal any policy, action or decision which has a significant adverse effect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
LARRY JONES	E-17215	Bridging Program.	4B 225

A. Describe Problem: Petitioner requests a recall of commitment Due to  
trial court illegally sending to C.D.C.R. AN UNVERIFIED Abstract of  
Judgement and its minutes which reflect "NO" court reporter;  
This done to "stay" a previously "stricken" enhancement to count 10  
on petitioners charges. This violates Due Process as this judicial Act  
requires the presence of Defendant. Both the Abstract and the minutes  
received and used to calculate Petitioners term violate his constitutional  
Rights AND also Alter the calculation of his term. see central file

If you need more space, attach one additional sheet. Abstract and minutes dated 9-13-95 (unfiled/no reporter)

B. Action Requested: That the Federal D.A. be contacted as petitioner is confined  
illegally within this southern district of California federal jurisdiction  
(Supra) Hill v. Alaska (9th Cir 2002) / CDCR 3076 (C)  
U.S.C.A S 6814 / 42 USC 1983 / DUNN V. HENMAN (9th Cir 1989)

Inmate/Parolee Signature: Larry Jones Date Submitted: April 8 2008

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_) (Petitioner WAS NOT present at this 9-13-95 Hearing)

Staff Response: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

**D. FORMAL LEVEL**

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:

SCREENED OUT

APR 16 2008

2

## VERIFICATION

STATE OF CALIFORNIA  
COUNTY OF IMPERIAL

(C.C.P. SEC. 446 & 2015.5; 28 U.S.C. SEC. 1746)

I, Larry Jones DECLARE UNDER THE PENALTY OF PERJURY THAT: I AM THE Petitioner IN THE ABOVE ENTITLED ACTION; I HAVE READ THE FOREGOING DOCUMENTS AND KNOW THE CONTENTS THEREOF AND THE SAME IS TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO MATTERS STATED THEREIN UPON INFORMATION, AND BELIEF, AND AS TO THOSE MATTERS, I BELIEVE THEM TO BE TRUE.

EXECUTED THIS 23<sup>rd</sup> DAY OF June, 2008, AT CALIPATRIA STATE PRISON, CALIPATRIA, CALIFORNIA 92233-5002

(SIGNATURE)

Larry Jones IN Pro/SE  
(DECLARANT/PRISONER)

## PROOF OF SERVICE BY MAIL

(C.C.P. SEC. 1013 (a) & 2015.5; 28 U.S.C. SEC. 1746)

I, Larry Jones, AM A RESIDENT OF CALIPATRIA STATE PRISON, IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA; I AM OVER THE AGE OF EIGHTEEN (18) YEARS OF AGE AND AM NOT A PARTY OF THE ABOVE-ENTITLED ACTION. MY STATE PRISON ADDRESS IS: P.O. BOX 5002, CALIPATRIA, CALIFORNIA 92233-5002

ON June 23, 2008 I SERVED THE FOREGOING:

~~Habeas Corpus to District Court and Attorney General~~  
Letter and Administrative Appeal to satisfy Exhaustion  
(SET FORTH EXACT TITLE OF DOCUMENT(S) SERVED)

ON THE PARTY(S) HEREIN BY PLACING A TRUE COPY(S) THEREOF, ENCLOSED IN A SEALED ENVELOPE(S), WITH POSTAGE THEREON FULLY PAID, IN THE UNITED STATES MAIL, IN A DEPOSIT BOX SO PROVIDED AT CALIPATRIA STATE PRISON, CALIPATRIA, CALIFORNIA 92233-5002

Office of the Attorney General  
110 West "A" Street  
SAN DIEGO, CA. Suite 1100  
92101-5266

U.S.D.C. Southern District of Calif  
4240 Edward J Swartz  
United States Courthouse  
940 Front Street  
SAN DIEGO CA. 92101

THERE IS DELIVERY SERVICE BY UNITED STATES MAIL AT THE PLACE SO ADDRESSED, AND THERE IS REGULAR COMMUNICATION BY MAIL BETWEEN THE PLACE OF MAILING AND THE PLACE SO ADDRESSED. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

DATE: June 23, 2008

Larry Jones IN Pro/SE  
(DECLARANT/PRISONER)